

AB:VAZ

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
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UNITED STATES OF AMERICA

- against -

JOSE MORAN,

Defendant.

**TO BE FILED UNDER SEAL**

COMPLAINT AND AFFIDAVIT  
IN SUPPORT OF APPLICATION  
FOR ARREST WARRANT

(18 U.S.C. § 751(a))

Case No. 21-M-560

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EASTERN DISTRICT OF NEW YORK, SS:

MATTHEW FORREST, being duly sworn, deposes and states that he is a Deputy United States Marshal with the United States Marshals Service, duly appointed according to law and acting as such.

On or about April 29, 2021, within the Eastern District of New York and elsewhere, the defendant JOSE MORAN, having been convicted of an offense, did knowingly and intentionally escape from the custody of the Attorney General or his authorized representative.

(Title 18, United States Code, Section 751(a))

The source of your deponent's information and the grounds for his belief are as follows:<sup>1</sup>

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<sup>1</sup> Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all relevant facts and circumstances of which I am aware.

1. On or about June 27, 2012, the defendant JOSE MORAN pleaded guilty in the Southern District of New York to one count of conspiracy to distribute and possess with intent to distribute cocaine and marijuana, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A) and 846. See Minute Entry, United States v. Fernandini, No. 11-CR-569 (PAC) (S.D.N.Y. filed June 27, 2012). On January 25, 2013, the Honorable Paul A. Crotty, United States District Judge, sentenced MORAN to 120 months' imprisonment and five years of supervised release. See Minute Entry, United States v. Fernandini, No. 11-CR-569 (PAC) (S.D.N.Y. filed Jan. 25, 2013); Judgment, United States v. Fernandini, No. 11-CR-569 (PAC) (S.D.N.Y. filed Jan. 30, 2013), ECF No. 314.

2. On or about February 24, 2021, MORAN was transferred from United States Penitentiary Allenwood in Allenwood, Pennsylvania, to Brooklyn House, a residential reentry center in Brooklyn, New York. MORAN was not scheduled to be released from Brooklyn House until May 25, 2021.

3. On or about April 26, 2021, MORAN was searched while returning to Brooklyn House from his approved employment. During the search, Brooklyn House staff recovered a green leafy substance from MORAN's person. After the substance was found, he walked out of Brooklyn House and failed to return to the reentry center as required.

4. I spoke with Maritza Hernandez, MORAN's mother-in-law and the emergency contact listed on his Brooklyn House account. Hernandez gave me MORAN's cell phone number, which she said she used to speak with him that week. I have tried to contact MORAN multiple times through that number, and he has failed to answer or return my calls.

5. As of the date of the filing of this Complaint, MORAN has not returned to Brooklyn House.

6. I respectfully request that this Court issue an order sealing, until further order of the Court, all materials submitted in support of this application, including the application and arrest warrant. Premature disclosure of these materials would give MORAN an opportunity to change patterns of behavior and to continue fleeing from or evading prosecution. Therefore, such disclosure would have a significant and negative impact on the continuing investigation and may severely jeopardize its effectiveness.

WHEREFORE, your deponent respectfully requests that a warrant issue for the arrest of the defendant JOSE MORAN so that he may be dealt with according to law.

/s/ Matthew Forrest

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MATTHEW FORREST  
Deputy United States Marshal  
United States Marshals Service

Sworn to before me by reliable electronic means by telephone  
this 7th day of May, 2021

[REDACTED]  
HONORABLE PEGGY KUO  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK